

REMARKS

In the Office Action, claim 14 was objected to based on an informality in the claim language. By this response, claim 14 is amended to address the language noted by the Examiner, such that the language of claim 14 is believed to be in acceptable form.

Claims 1, 2, 9 and 13-15 were rejected under 35 USC §102(b) as being anticipated by Barry et al U.S. Patent 3,526,083. Claims 16, 18 and 19 were rejected under 35 USC §102(b) as being anticipated by Warfield, III U.S. Patent 5,694,752. Claims 3, 8 and 12 were rejected under 35 USC §103(a) as being unpatentable over Barry et al in view of Parsons, Jr. U.S. Patent 4,887,417. Claims 4-7 were rejected under 35 USC §103(a) as being unpatentable over Barry et al in view of Sorenson et al U.S. Patent 3,824,772. Claims 10 and 11 were rejected under 35 USC §103(a) as being unpatentable over Barry et al in view of Mullet et al U.S. Patent 4,629,006. Claim 17 was rejected under 35 USC §103(a) as being unpatentable over Warfield, III in view of Mullet et al.

The Barry et al reference discloses a post mower in which a mowing device 10 is mounted to a tractor 12 for mowing around a post 14. The mowing device 10 includes a frame 16 that is supported by a support assembly 18 affixed to the tractor 12. The support assembly 18 includes a support block 20 connected to the vehicle through upper linkages 22 and lower linkages 24. A cylinder 30 is connected between the vehicle and linkages 22, 24 for controlling the height of support block 20. The linkage 32 extends downwardly from support block 20 for connection to the mower frame 16. A hydraulic cylinder 34 is positioned between frame 16 and support block 20 for controlling the angle of frame 16. A hydraulic cylinder 38 is connected between linkage 32 and a pivot stud 44, to control the angle of linkage 32 and thereby the height of frame 16. (Column 2, lines 58-71 through column 3, lines 1-8). Mower 10 includes a support arm 46 which is connected to frame 16 for pivoting movement about a vertical axis 52. A cutter head 54 is mounted to the outer end of support arm 46. (Column 3, lines 10-26).

The Warfield, III reference discloses a trimmer mounting system in which a deck member 110 is secured to the vehicle 10, and includes a ground-engaging wheel 112. A support post 119 is mounted to deck member 110, and an apparatus support member 120 extends from support post 119. An extension section 124 is coupled to the top of base section 123 of support member 120, and trimmer 20 is mounted to extension section 124.

The claims have been amended in a manner believed to patentably define over the references.

Original claims 1 and 12 are canceled, leaving independent claims 2, 13 and 16. Claims 3-11, 20 and 21 depend from amended claim 2, claims 14, 15, 22 and 23 depend from amended claim 13, and claims 17-19, 24 and 25 depend from amended claim 16.

Claim 2 is amended to specify that the linkage arrangement includes a pair of vertically spaced link members, each of which defines an inner end and an outer end. The outer ends of the link members are defined as being vertically spaced apart from each other. Claim 2 further calls for a vertical pivot member mounted between the spaced apart outer ends of the link members, and an accessory interconnected with the vertical pivot member. The accessory is defined as being movable about a vertical pivot axis defined by the vertical pivot member. Claim 2 further calls for a linkage mounting arrangement interposed between the inner ends of the link members and the vehicle. The linkage mounting arrangement is specified as defining a horizontal axis pivot connection to which the inner end of each link member is secured. In addition, claim 2 specifies that pivoting movement of the link members about the horizontal axis pivot connection provides vertical movement of the link members and the vertical pivot member, and thereby the accessory, relative to the vehicle between a raised position and a lowered position.

Claim 1 was originally rejected based on the Barry et al reference. In Barry et al, linkages 22 and 24 are located between the vehicle and support block 20. The mower frame 16, in turn, is connected to support block 20 through linkages 32. Horizontal movement of the mower arm 46 is about a pivot axis 52, which is spaced outwardly from the support block 20. Amended claim 2, on the other hand, calls for a vertical pivot member between the spaced apart outer ends of the link members, with the accessory being interconnected with the vertical pivot member for movement about a vertical pivot axis defined by the vertical pivot member. Barry et al contains no showing or suggestion of this feature. Rather, in Barry et al, the support block is fixed to the outer ends of the linkages 22 and 24, and is incapable of pivoting because a linkage 22 and a linkage 24 are located on either side of support block 20. In Barry et al, vertical pivoting movement of the mower is accomplished by the separate vertical pivot connection of arm 42 to the mower frame 16 at pivot axis 52.

For the above reasons, amended claim 2 is believed to patentably define over the Barry et al reference. A review of the remaining references of record similarly fails to show or suggest the claimed subject matter, and accordingly claim 2 is believed allowable.

Claims 3-11, 20 and 21, which depend directly or indirectly from amended claim 2, are believed allowable for the above reasons as well as in view of the subject matter of each claim.

Claim 13 has been amended along the same lines as amended claim 2. For the reasons noted above with respect to claim 2, it is believed that claim 13 also patentably defines over the Barry et al reference. Claims 14, 15, 22 and 23 depend directly or indirectly from claim 13, and are thus also believed allowable.

Claim 16, which is directed to a method of manicuring a lawn, has been amended to state that the accessory mounting system includes vertically spaced first and second link members, each of which defines an inner end and an outer end. The inner ends of the link members are defined as being interconnected with the vehicle for movement about a horizontal pivot axis for providing movement of the link member outer ends between a raised position and a lowered position, and as being further interconnected with the vehicle for movement about an inner vertical pivot axis. Claim 16 also calls for a trimming accessory mounted to the link member outer ends for movement about an outer vertical pivot axis. Claim 15 also calls for moving the accessory mounting system to the lowered position to lower the trimming accessory when an object is encountered, and directing the trimming accessory toward and around the object by moving the trimming accessory about the inner vertical pivot axis and moving the accessory mounting system about the inner vertical pivot axis. Claim 16 further calls for cutting the vegetation surrounding the object by movement of the accessory about the object.

Claim 16 was originally rejected based on the Warfield, III reference. As can be readily appreciated, the amendments to claim 16 add limitations that are not shown or suggested by Warfield, III. Specifically, Warfield, III contains no showing or suggestion of an accessory mounting system having vertically spaced first and second link members, as claimed, which are interconnected with the vehicle for movement about a horizontal pivot axis, also as claimed. Warfield, III also does not show or suggest an accessory mounting system mounted to the vehicle for movement about an inner vertical pivot axis and a trimming accessory mounting to outer ends of link members for movement about an outer vertical pivot axis, also as claimed.

Warfield, III further contains no showing or suggestion of the remaining steps set forth in amended claim 16.

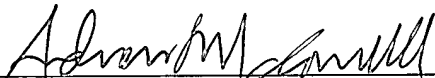
For the above reasons, claim 16 is believed to patentably define over the Warfield, III reference. A review of the remaining references similarly fails to show or suggest the claimed subject matter, and accordingly claim 16 is believed allowable.

Claims 17-19, 24 and 25 depend directly or indirectly from claim 16, and are believed allowable for the above reasons as well as in view of the subject matter of each claim.

Applicant's attorney has made every effort to place the application into condition for allowance with claims 2-11 and 13-25, and such action is earnestly requested.

The Examiner is encouraged to contact the undersigned by phone if questions remain after consideration of this response, or if such would otherwise facilitate prosecution.

Respectfully submitted,

By   
Andrew S. McConnell  
Reg. No. 32,272

Boyle, Fredrickson, Newholm,  
Stein & Gratz, S.C.  
250 East Wisconsin Avenue, Suite 1030  
Milwaukee, WI 53202  
(414) 225-9755

Customer No.: 23598